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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**

5
6 IN RE: ELECTRONIC SUBMISSION OF
7 NDOC PRISONER DOCUMENTS

FIFTH AMENDED GENERAL
ORDER 2012-01

8 Since February 19, 2013, the United States District Court for the District of
9 Nevada ("Court"), the Nevada Department of Corrections ("NDOC"), and the Office of
10 the Attorney General of the State of Nevada have participated in an electronic filing
11 project designed to reduce the cost of processing prisoner filings in cases filed under 42
12 U.S.C. § 1983 under General Order No. 2012-01. The terms of the e-filing project are
13 now mandated as follows:

- 14 1. Electronic filing of prisoner filings in civil rights cases was implemented at
15 Northern Nevada Correctional Center ("NNCC") in 2013, at Lovelock Correctional
16 Center ("LCC") in 2015, and on April 1, 2020 at both Ely State Prison ("ESP") and
17 High Desert State Prison ("HDSP").
- 18 2. All prisoner filings in all federal cases before this Court, including civil rights and
19 habeas corpus cases, must be filed electronically at those facilities which have
20 implemented electronic filings.
- 21 3. All NDOC prisoner filings in all federal cases before this Court, including civil
22 rights and habeas corpus cases, must be filed electronically beginning no later
23 than January 1, 2022, excluding filings from rural NDOC camps.

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- 1 4. NDOC will be provided with free Public Access to Court Electronic Records
2 (“PACER”) accounts for use by the law librarians who become registered users.
- 3 5. NDOC staff must scan to PDF and transmit electronically to the Court all
4 documents presented by prisoners for filing with the Court. The original
5 documents must be returned to the prisoner. All documents submitted for filing
6 by prisoners in NDOC facilities must be emailed to the Court in PDF format, and
7 in accordance with NDOC procedures therefor.
- 8 6. The Court will receive and file the prisoners’ documents electronically. After
9 traditional service of the prisoner’s complaint, and appearance by an opposing
10 party, electronic transmission of the filed document to opposing parties who are
11 registered users of the Court’s electronic filing system constitutes service of the
12 hyperlinked document for purposes of Rule 5(b)(3) of the Federal Rules of Civil
13 Procedure. The inmate must mail a copy of the prisoner’s electronically filed
14 document to non-registered users.
- 15 7. Each NDOC facility, excluding rural NDOC camps, must establish an email
16 address for receipt of documents filed electronically. NDOC staff will print the
17 electronic transmission receipt, the hyperlinked order, and other documents filed
18 by the Court. Receipt of copies of the receipt and hyperlinked documents by the
19 prisoner constitutes service of the document on the prisoner. If the prisoner
20 refuses delivery or is no longer at a particular NDOC facility, NDOC staff must
21 indicate the reason for non-delivery on the transmission receipt and email it to
22 the Court.
- 23 8. Opposing parties who are registered users of the Court’s electronic filing system
24 must serve filings on NDOC prisoners by the Court’s electronic filing system.
25 NDOC staff must print and provide to prisoners the electronic receipts, and the
26 hyperlinked documents filed by opposing parties.

1 The Court has evaluated the e-filing project and determined it should be
2 continued permanently at all NDOC facilities, excluding rural NDOC camps, and that the
3 e-filing project will become mandatory at other NDOC facilities on the schedule stated
4 above.

5 DATED THIS 3rd Day of September 2020.

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9 MIRANDA M. DU, CHIEF JUDGE
10 UNITED STATES DISTRICT COURT
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